

WRIT OF MANDAMUS

THIS WRIT OF MANDAMUS IS TO HAVE THIS COURT AND OR MAGISTRATE JUDGE TO COMPEL THE COURT OF CRIMINAL APPEALS OF TEXAS TO RECID ITS DECISION ON MY WRIT OF MANDAMUS WHICH THE COURT OF CRIMINAL APPEAL OF TEXAS DENIED WITHOUT WRITTEN ORDER W.R.B. 85,151-12, 9-25-2024. TO COMPEL THE 13TH COURT OF APPEALS CORPUS CHRISTI TEXAS TO GIVE ME SOME KIND OF ANSWER ON MY ERROR APPEAL TO WHICH THAT COURT HAS HAD SINCE JULY 2014 151 ONE SENT 2ND ONE SENT ON 7-29-24 CERTIFIED MAIL. ALSO HAVE ASKED THE 13TH COURT OF APPEALS FOR A CASE NO. COPY OF MY APPEAL ERROR IS ENCLOSED WITH LEGAL CITATIONS.

NOW BECAUSE I HAVE TO ASK THIS COURT AND OR MAGISTRATE JUDGE FOR HELP BECAUSE I HAVE NO PLACE TO GO.
I HAVE MY LIBERTY AT STAKE. RESTRAINT & CONFINEMENT CONSTITUTES SUFFICIENT RESTRAINT OF LIBERTY

IN RE DEBA PRAYS THAT THIS WRIT WILL BE GRANTED

RESPECTIVELY SUBMITTED
Raymond Deba pro se

RAYMOND DEBA
1560023 TERRELL UNIT
1300 FM 655
ROSHALON TX 77583

United States Courts
Southern District of Texas
FILED

NOV 04 2024

Nathan Ochsner, Clerk of Court

APPEAL

ERROR PLAINT - FUNDAMENTAL

THIS APPEAL IS ON ERROR, PLAINT - FUNDAMENTAL AND VIOLATION UNITED STATES CONSTITUTION. INEFFECTIVE ASSISTANCE OF COUNSEL, COUNSEL JERRY L. CLARK, MISCONDUCT BY D.A. ROBERT C. LASSMAN BOTH FAILED TO PROPERLY INVESTIGATE THE ENHANCEMENT PENAL CODE USA, THE ENHANCEMENT PENAL CODE USED: SEXUAL ASSAULT OF A CHILD, JULY 11 2005 NO. 2005 CR 0916, 227TH DISTRICT COURT BEXAR COUNTY TX. LEGAL RECORDS WILL SHOW, IN INDICTMENT 2005CR0916 SEXUAL ASSAULT, IN TRIAL TRANSCRIPT, I PLEAD ONLY TO SEXUAL ASSAULT.

ERROR, PLAINT - FUNDAMENTAL. LEGAL TERMS ONE AND TWO SAME.
TEX. EVID. R. 103

RULE 103 RULING ON EVIDENCE - (e) TAKING NOTICE OF FUNDAMENTAL ERROR IN CRIMINAL CASES.

IN CRIMINAL CASES A COURT MAY TAKE NOTICE OF A FUNDAMENTAL ERROR EFFECTING A SUBSTANTIAL RIGHT, EVEN IF THE CLAIM OF ERROR WAS NOT PROPERLY PRESENTED.

BLACK'S LAW DICTIONARY 11TH EDITION DEFINES - AN ERROR THAT IS SO OBVIOUS AND PREJUDICIAL THAT AN APPELLATE COURT SHOULD ADDRESS IT. DESPITE THE PARTIES FAILURE TO RAISE A PROPER OBJECTION AT TRIAL A PLAIN ERROR IS OFTEN SAID TO BE SO OBVIOUS AND SUBSTANTIAL THAT FAILURE TO CORRECT IT WOULD INFRINGE A PARTIES DUE PROCESS RIGHTS AND DAMAGE THE INTEGRITY OF THE JUDICIAL PROCESS. MERITIAN-WESTON DICTIONARY OF LAW 2016 DEFINES - AN OBVIOUS AND PREJUDICIAL ERROR THAT EFFECTS THE SUBSTANTIAL RIGHTS OF THE PARTIES AND THE RESULT OR PROBABLE RESULTS ON APPEAL EVEN IN THE ABSENCE OF OBJECTION TO THE ERROR AT TRIAL.

FACTS AND CONCLUSION OF LAW: INDICTMENT 08-08-4437-CR
ENHANCEMENT PENAL CODE USED WAS A CRIME IT WAS NEVER CHARGE WITH OR CONVICTED OF.

SUBSTANTIAL RIGHT VIOLATION - LIBERTY

United States Courts
Southern District of Texas
FILED

NOV 04 2024

Nathan Ochsner, Clerk of Court

~~LEGAL CITATIONS~~

COTTON	V STATE	626 SW 2d 531	11-10-1981
McFARLAND	V STATE	605 SW 2d 904	7-2-1980
LEE	V STATE	589 SW 2d 710	11-21-1979
HARRIS	V STATE	587 SW 2d 429	10-10-1979
HENDERSON	V STATE	600 SW 2d 788	5-3-1979
PEOPLES	V STATE	566 SW 2d 640	6-7-1971
BAKER	V STATE	547 SW 2d 627	3-9-1977
DANIEL	V STATE	547 SW 2d 597	2-23-1977
STANLEY	V STATE	519 SW 2d 538	1-15-1975
AUZENNE	V STATE	547 SW 2d 596	2-23-1977
EX PARTE CANNON		546 SW 2d 266	5-2-1976
REYNOLDS	V STATE	547 SW 2d 590	11-3-1976
HERRIN	V STATE	547 SW 2d 598	2-23-1979
MOORE	V STATE	545 SW 2d 140	10-13-1976
SHANE	V STATE	513 SW 2d 579	4-3-1974
JOHNSON	V STATE	547 SW 2d 599	2-23-1977
EX PARTE ROBERTS		522 SW 2d 461	5-7-1975
CARTER	V STATE	639 SW 2d 13	6-22-1982
LUNSFORD	V STATE	1 TEX CT APP 448	1876
HUGGINS	V STATE	544 SW 2d 147	12-8-1976
RESEEK	V STATE	545 SW 2d 164	1-5-1977
LANDRY	V STATE	583 SW 2d 620	7-18-1979
ARDEN	V STATE	572 SW 2d 546	10-23-1978
EX PARTE McCARDY		571 SW 2d 31	9-20-1978
DELAROSA	V STATE	677 SW 3d 668	10-21-2023
EX PARTE ALVEAR		524 SW 3d 261	3-10-2006
WOODARD	V STATE	300 SW 3d 404	10-29-2009
MESSINGER	V STATE	638 SW 2d 883	9-22-1989
DELEON	V STATE	583 SW 3d 693	12-28-2018
CALTER	V STATE	804 SW 2d 326	2-14-1991
TRÉSU	V STATE	313 SW 3d 370	5-20-2010
DOUGLAS	V STATE	915 SW 2d 166	1-18-1996
THORNTON	V STATE	601 SW 2d 340	11-21-1970
HEII	V STATE	640 SW 2d 899	5-22-1989
INSALL	V STATE	14 TEX CT APP 145	5-5-1883

DIA RAMON
15600 RIVERERA UNIT
1300 FM 655
ROSENDALE TX 77580

HOUSTON TX FEDC 773
29 OCT 2024 PM 4



United States Courts
Southern District of Texas
FILED
NOV 04 2024
Nathan Ochsner, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
P.O. BOX 61010
Houston TX 77208

Legal Mail

77208-0100